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7 ANTHONY PEEL,  
8 Plaintiff,  
9 v.  
10 COUNTY OF SAN MATEO, et al.,  
11 Defendants.

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13 Case No. 15-cv-04694-JST  
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15 **ORDER RE ALTERNATIVE DISPUTE**  
16 **RESOLUTION**  
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19 This civil rights case was filed on October 9, 2015. ECF No. 1. On the same date, the  
20 Court issued an Order Setting Initial Case Management Conference and ADR Deadlines. ECF  
21 No. 3. That order provided, in pertinent part, that the parties were required to file either a  
22 Stipulation to ADR Process or Notice of Need for ADR Phone Conference Order by December  
23 17, 2015. Id. On December 17, 2015, the parties filed a Stipulation and Proposed Order selecting  
24 private mediation. ECF No. 15.

25 On March 9, 2016, the parties filed a Joint Case Management Statement in connection with  
26 the Case Management Conference scheduled for March 16, 2016. ECF No. 23. In the JCMS,  
27 Defendants state that they no longer wish to participate in private mediation, and “will be filing an  
28 amended stipulation seeking a settlement conference with a magistrate judge, or alternatively,  
obtain an order at the Case Management Conference making this change.” Id. at 4.

29 The court rules do not permit the parties to schedule a settlement conference with a  
30 Magistrate Judge by stipulation. As set forth in A.D.R. Local Rule 3-5, “[i]f the parties are unable  
31 to agree on an ADR process, or if the parties believe that a settlement conference with a  
32 Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, they  
33 must file a “Notice of Need for ADR Phone Conference.” A.D.R. L.R. 3-5(c)(2). This

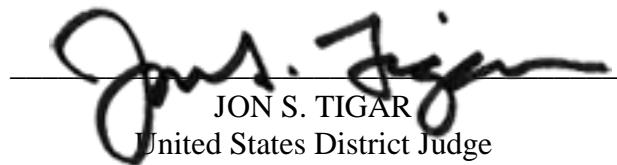
1 requirement is also stated on the face of the Northern District of California's form Stipulation and  
2 Proposed Order Selecting ADR Process, a copy of which the parties filed on December 17, 2015.

3 If the parties believe that a settlement conference with a Magistrate Judge is "appreciably  
4 more likely to meet their needs than any other form of ADR," or if other issues have arisen  
5 regarding their previous agreement (and the Court's order) to mediate, they should schedule a  
6 phone conference with the ADR office.

7 The Court will not address this subject further at the Case Management Conference.

8 **IT IS SO ORDERED.**

9 Dated: March 14, 2016



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11 JON S. TIGAR  
12 United States District Judge